

“(1) ACTIVE SUBSTANCE.—The term ‘active substance’ means a chemical substance—

“(A) that has been manufactured or processed for a nonexempt commercial purpose at any point during the 10-year period ending on the date of enactment of the Chemical Safety Improvement Act;

“(B) that is added to the list published under subsection (b)(1) after that date of enactment; or

“(C) for which a notice is received under subsection (b)(5)(C).

“(2) INACTIVE SUBSTANCE.—The term ‘inactive substance’ means a chemical substance on the list published under subsection (b)(1) that does not meet any of the criteria described in paragraph (1).

“(3) MANUFACTURE; PROCESS.—The”.

SEC. 11. RELATIONSHIP TO OTHER FEDERAL LAWS.

Section 9 of the Toxic Substances Control Act (15 U.S.C. 2608) is amended—

(1) in subsection (a)—

(A) in paragraph (1), in the first sentence—

(i) by striking “presents or will present an unreasonable risk to health or the environment” and inserting “does not meet the safety standard”; and

(ii) by striking “such risk” the first place it appears and inserting “the risk posed by the substance or mixture”;

(B) in paragraph (2), in the matter following subparagraph (B), by striking “section 6 or 7” and inserting “section 6(d) or section 7”; and

(C) in paragraph (3), by striking “section 6 or 7” and inserting “section 6(d) or 7”; and

(2) in subsection (d), in the first sentence, by striking “Health, Education, and Welfare” and inserting “Health and Human Services”.

SEC. 12. RESEARCH, DEVELOPMENT, COLLECTION, DISSEMINATION, AND UTILIZATION OF DATA.

Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended by striking “Health, Education, and Welfare” each place it appears and inserting “Health and Human Services”.

SEC. 13. EXPORTS.

Section 12 of the Toxic Substances Control Act (15 U.S.C. 2611) is amended—

(1) in subsection (a), by striking paragraph (2) and inserting the following:

“(2) EXCEPTION.—Paragraph (1) shall not apply to any chemical substance that the Administrator determines—

“(A) under section 5 is not likely to meet the safety standard; or

“(B) under section 6 does not meet the safety standard.

“(3) WAIVERS.—For a mixture or article containing a chemical substance described in paragraph (2), the Administrator may—

“(A) determine that paragraph (1) shall not apply to the mixture or article; or

“(B) establish a threshold concentration in a mixture or article at which paragraph (1) shall not apply.

“(4) TESTING.—The Administrator may require testing under section 4 of any chemical substance or mixture exempted from this Act under paragraph (1) for the purpose of determining whether the chemical substance or mixture presents an unreasonable risk of harm to human health within the United States or to the environment of the United States.”;

(2) by striking subsection (b) and inserting the following:

“(b) Notice.—

“(1) IN GENERAL.—A person shall notify the Administrator that the person is exporting or intends to export to a foreign country—

“(A) a chemical substance or a mixture containing a chemical substance that the Administrator has determined under section 5 is not likely to meet the safety standard and for which a prohibition or restriction has been proposed or established under that section;

“(B) a chemical substance or a mixture containing a chemical substance that the Administrator has determined under section 6 does not meet the safety standard and for which a prohibition or restriction has been proposed or established under that section;

“(C) a chemical substance for which the United States is obligated by treaty to provide export notification;

“(D) a chemical substance or mixture subject to a prohibition or restriction pursuant to a regulation, order, or consent agreement in effect under this Act; or

“(E) a chemical substance or mixture for which the submission of information is required under section 4.

“(2) REGULATIONS.—

“(A) IN GENERAL.—The Administrator shall promulgate regulations to carry out paragraph (1).

“(B) CONTENTS.—The regulations promulgated pursuant to subparagraph (A) shall—

“(i) include such exemptions as the Administrator determines to be appropriate, which may include exemptions identified under section 5(h); and

“(ii) indicate whether, or to what extent, the regulations apply to articles containing a chemical substance or mixture described in paragraph (1).

“(3) NOTIFICATION.—The Administrator shall submit to the government of each country

to which a chemical substance or mixture is exported—

“(A) for a chemical substance or mixture described in subparagraph (A), (B), or (D) of paragraph (1), a notice of the determination, regulation, order, consent agreement, requirement, or designation;

“(B) for a chemical substance described in paragraph (1)(C), a notice that satisfies the obligation of the United States under the applicable treaty; and

“(C) for a chemical substance or mixture described in paragraph (1)(E), a notice of availability of the information on the chemical substance or mixture submitted to the Administrator.”; and

(3) in subsection (c)—

(A) by striking paragraph (3); and

(B) by redesignating paragraphs (4) through (6) as paragraphs (3) through (5), respectively.

SEC. 14. IMPORTS.

Section 13 of the Toxic Substances Control Act (15 U.S.C. 2612) is amended to read as follows:

“SEC. 13. IMPORTS.

“(a) Refusal of Entry.—

“(1) IN GENERAL.—The Secretary of Homeland Security shall refuse entry into the customs territory of the United States (as defined in general note 2 to the Harmonized Tariff Schedule of the United States) any chemical substance, mixture, or article containing a chemical substance or mixture offered for such entry, if—

“(A) the Administrator—

“(i) has determined under section 6(c) that the chemical substance or mixture does not meet the safety standard; and

“(ii) has promulgated a regulation pursuant to section 6(d) banning the chemical substance or mixture, as of the effective date of the regulation;

“(B) the chemical substance—

“(i) is not included on the list under section 8(b)(1); and

“(ii) is not exempt from any requirement to be included on that list by this title or a regulation promulgated by the Administrator pursuant to this title; or

“(C) the chemical substance, mixture, or any article containing the chemical substance or mixture is offered for entry in violation of—

“(i) a regulation, consent agreement, or order in effect under this Act; or

“(ii) an order issued in a civil action brought under section 7 or title IV.

“(2) PROCEDURE.—

1 “(A) IN GENERAL.—Subject to subparagraph (B), if a chemical substance, mixture,
2 or article containing a chemical substance or mixture is refused entry under paragraph
3 (1), the Secretary of Homeland Security—

4 “(i) shall notify the consignee of the entry of the refusal;

5 “(ii) shall not release the chemical substance or mixture to the consignee; and

6 “(iii) shall cause the disposal or storage of the chemical substance or mixture
7 under such regulations as the Secretary may prescribe, if the chemical substance
8 or mixture has not been exported by the consignee during the 90-day period
9 beginning on the date of receipt of the notice of the refused entry.

10 “(B) EXCEPTION.—

11 “(i) IN GENERAL.—The Secretary of Homeland Security, pending a review by
12 the Administrator, may release to the consignee the chemical substance or mixture
13 if the consignee—

14 “(I) executes a bond for the amount of the full invoice of the chemical
15 substance or mixture (as set forth in the customs entry); and

16 “(II) pays a duty on the chemical substance or mixture.

17 “(ii) ADMINISTRATION.—If a consignee fails to return a chemical substance or
18 mixture released to that consignee under clause (i) for any cause to the custody of
19 the Secretary of Homeland Security on demand, the consignee shall be liable to
20 the United States for liquidated damages equal to the full amount of the bond
21 executed under clause (i)(I).

22 “(C) STORAGE.—All charges for storage, cartage, and labor on or for the disposal of
23 a chemical substance or mixture that is refused entry or released under this subsection
24 shall be paid by the owner or consignee, and a default on that payment shall constitute
25 a lien against any future entry made by the owner or consignee.

26 “(b) Certification.—

27 “(1) IN GENERAL.—A person offering a chemical substance or mixture subject to this Act
28 for entry into the customs territory of the United States shall certify to the Secretary of
29 Homeland Security that—

30 “(A) after reasonable inquiry and to the best knowledge and belief of the person, the
31 chemical substance or mixture is in compliance with any applicable regulation, consent
32 agreement, or order under section 5 or 6; and

33 “(B) the chemical substance—

34 “(i) is included on the list under section 8(b)(1); or

35 “(ii) is exempt from any requirement to be included on that list by this title or a
36 regulation promulgated by the Administrator pursuant to this title.

37 “(2) ARTICLES.—

38 “(A) IN GENERAL.—The Administrator, by regulation, may require certification
39 under paragraph (1) for an article containing a chemical substance or mixture that is

subject to regulation under section 5 or 6.

“(B) REQUIREMENT.—The regulation under subparagraph (A) shall identify, with reasonable specificity, the types of articles, including parts or components of articles, that will be subject to the certification requirement.

“(C) FACTORS FOR CONSIDERATION.—In determining the need for and content of a certification regulation under this paragraph, the Administrator shall take into consideration—

“(i) the utility of the certification to enforcement of the applicable regulation, consent agreement, or order under section 5 or 6;

“(ii) the contribution of imported articles to the potential risk presented by exposure to the chemical substance or mixture subject to regulation under section 5 or 6;

“(iii) the impact on commerce and potential for the certification to impede or disrupt import of articles;

“(iv) the frequency or duration of the certification requirement; and

“(v) specification of the concentration of a chemical substance in an article that would subject the article to the certification requirement.

“(3) REASONABLE INQUIRY.—

“(A) IN GENERAL.—For purposes of a certification under paragraph (1), reasonable inquiry shall include good faith reliance by an importer on—

“(i) a safety data sheet or similar declaration provided by a supplier that documents the specific identity of the chemical substance or the specific identities of all chemical substances in a mixture; or

“(ii) for chemical substances or mixtures claimed by the supplier as confidential, or not otherwise disclosed by the supplier, a certification by the supplier that the imported chemical substance or mixture satisfies the applicable certification requirements under paragraph (1).

“(B) ARTICLES.—For purposes of a certification under paragraph (2), reasonable inquiry shall include good faith reliance by an importer on a certification by the supplier that the imported article satisfies the applicable certification requirements in a regulation promulgated pursuant to paragraph (2).

“(4) INFORMATION REGARDING IDENTITY.—For purposes of this subsection, the Administrator shall provide publicly accessible information regarding the identity of a chemical substance or mixture subject to regulation under this Act that would be readily understood in import transactions.

“(c) Notice.—A person offering a chemical substance for entry into the customs territory of the United States shall notify the Secretary of Homeland Security if—

“(1) the chemical substance or chemical substance in a mixture is a high-priority substance;

“(2) the chemical substance or chemical substance in a mixture is 1 for which the United

States is obligated to provide export notification by treaty; or

“(3) the chemical substance or chemical substance in a mixture—

“(A) is the subject of a safety assessment and safety determination conducted pursuant to section 6; and

“(B) has been found not to meet the safety standard.

“(d) Regulations.—

“(1) IN GENERAL.—The Secretary of Homeland Security, after consultation with the Administrator, shall promulgate regulations to carry out this section.

“(2) APPLICATION.—The regulations under paragraph (1) may modify the application of any requirement of this section, as appropriate for the efficient and effective implementation of this Act.”.

SEC. 15. CONFIDENTIAL INFORMATION.

Section 14 of the Toxic Substances Control Act (15 U.S.C. 2613) is amended to read as follows:

“SEC. 14. CONFIDENTIAL INFORMATION.

“(a) In General.—Except as otherwise provided in this section, the Administrator shall not disclose information that is exempt from disclosure pursuant to subsection (a) of section 552 of title 5, United States Code, under subsection (b)(4) of that section—

“(1) that is reported to, or otherwise obtained by, the Administrator under this Act; and

“(2) for which the requirements of subsection (d) are met.

“(b) Information Generally Protected From Disclosure.—The following information specific to, and submitted by, a manufacturer, processor, or distributor that meets the requirements of subsection (d) shall be presumed to be protected from disclosure, subject to the condition that nothing in this Act prohibits the disclosure of any such information through discovery, subpoena, other court order, or any other judicial process otherwise allowed under applicable Federal or State law:

“(1) Specific information describing the processes used in manufacture or processing of a chemical substance, mixture, or article.

“(2) Marketing and sales information.

“(3) Information identifying a supplier or customer.

“(4) Details of the full composition of a mixture and the respective percentages of constituents.

“(5) Specific information regarding the use, function, or application of a chemical substance or mixture in a process, mixture, or product.

“(6) Specific production or import volumes of the manufacturer and specific aggregated volumes across manufacturers, if the Administrator determines that disclosure of the specific aggregated volumes would reveal confidential information.

1 “(7) Except as otherwise provided in this section, the specific identity of a chemical
2 substance prior to the date on which the chemical substance is first offered for commercial
3 distribution, including the chemical name, molecular formula, Chemical Abstracts Service
4 number, and other information that would identify a specific chemical substance, if—

5 “(A) the specific identity was claimed as confidential information at the time it was
6 submitted in a notice under section 5; and

7 “(B) the claim has not subsequently been withdrawn or found by the Administrator
8 not to warrant protection as confidential information under subsection (e), (f)(2), or
9 (g).

10 “(c) Information Not Protected From Disclosure.—Notwithstanding subsections (a) and (b),
11 the following information shall not be protected from disclosure:

12 “(1) INFORMATION FROM HEALTH AND SAFETY STUDIES.—

13 “(A) IN GENERAL.—Subject to subparagraph (B), subsection (a) does not prohibit the
14 disclosure of—

15 “(i) any health and safety study that is submitted under this Act with respect
16 to—

17 “(I) any chemical substance or mixture that, on the date on which the
18 study is to be disclosed, has been offered for commercial distribution; or

19 “(II) any chemical substance or mixture for which—

20 “(aa) testing is required under section 4; or

21 “(bb) a notification is required under section 5; or

22 “(ii) any information reported to, or otherwise obtained by, the Administrator
23 from a health and safety study relating to a chemical substance or mixture
24 described in subclause (I) or (II) of clause (i).

25 “(B) EFFECT OF PARAGRAPH.—Nothing in this paragraph authorizes the release of
26 any information that discloses—

27 “(i) a process used in the manufacturing or processing of a chemical substance
28 or mixture; or

29 “(ii) in the case of a mixture, the portion of the mixture comprised by any
30 chemical substance in the mixture.

31 “(2) CERTAIN REQUESTS.—If a request is made to the Administrator under section 552(a)
32 of title 5, United States Code, for information that is described in paragraph (1) that is not
33 described in paragraph (1)(B), the Administrator may not deny the request on the basis of
34 section 552(b)(4) of title 5, United States Code.

35 “(3) OTHER INFORMATION NOT PROTECTED FROM DISCLOSURE.—The following
36 information is not protected from disclosure under this section:

37 “(A) For information submitted after the date of enactment of the Chemical Safety
38 Improvement Act, the specific identity of a chemical substance as of the date on which
39 the chemical substance is first offered for commercial distribution, if the person

submitting the information does not meet the requirements of subsection (d).

“(B) A safety assessment developed, or a safety determination made, under section 6.

“(C) Any general information describing the manufacturing volumes, expressed as specific aggregated volumes or, if the Administrator determines that disclosure of specific aggregated volumes would reveal confidential information, expressed in ranges.

“(D) A general description of a process used in the manufacture or processing and industrial, commercial, or consumer functions and uses of a chemical substance, mixture, or article containing a chemical substance or mixture, including information specific to an industry or industry sector that customarily would be shared with the general public or within an industry or industry sector.

“(4) MIXED CONFIDENTIAL AND NONCONFIDENTIAL INFORMATION.—Any information that is otherwise eligible for protection under this section and contained in a submission of information described in this subsection shall be protected from disclosure, if the submitter complies with subsection (d), subject to the condition that information in the submission that is not eligible for protection against disclosure shall be disclosed.

“(5) LIMITATION.—Except as provided in paragraph (1)(B), the specific identity of any chemical substance that is not on the confidential portion of the list published under section 8(b)(1) or subsequently added to the confidential portion of the list pursuant to this section shall not be eligible for protection from disclosure.

“(6) BAN OR PHASE-OUT.—If the Administrator promulgates a regulation pursuant to section 6(d) that establishes a ban or phase-out of the manufacture, processing, or distribution in commerce of a chemical substance—

“(A) any protection from disclosure provided under this section with respect to information relating to the chemical substance shall no longer apply; and

“(B) the Administrator promptly shall make the information public.

“(d) Requirements for Confidentiality Claims.—

“(1) ASSERTION OF CLAIMS.—

“(A) IN GENERAL.—A person seeking to protect any information submitted under this Act from disclosure (including information described in subsection (b)) shall assert to the Administrator a claim for protection concurrent with submission of the information, in accordance with such regulations regarding a claim for protection from disclosure as the Administrator has promulgated or may promulgate pursuant to this title.

“(B) INCLUSION.—An assertion of a claim under subparagraph (A) shall include a statement that the person has—

“(i) taken reasonable measures to protect the confidentiality of the chemical identity;

“(ii) determined that the information is not required to be disclosed or

otherwise made available to the public under any other Federal law in connection with 1 or more uses subject to this Act;

“(iii) a reasonable basis to conclude that disclosure of the information is likely to cause substantial harm to the competitive position of the person; and

“(iv) a reasonable basis to believe that the information is not readily discoverable through reverse engineering.

“(C) SPECIFIC CHEMICAL IDENTITY.—In the case of a claim under subparagraph (A) for protection against disclosure of a specific chemical identity, the claim shall include a structurally descriptive generic name for the chemical substance that the Administrator may disclose to the public, subject to the conditions that—

“(i) the generic name shall—

“(I) conform with guidance prescribed by the Administrator under paragraph (3)(A); and

“(II) describe the chemical structure of the substance as specifically as practicable while protecting those features of the chemical structure—

“(aa) that are considered to be confidential; and

“(bb) the disclosure of which would be likely to harm the competitive position of the person.

“(2) ADDITIONAL REQUIREMENTS FOR CONFIDENTIALITY CLAIMS.—Except for information described in paragraphs (1) through (7) of subsection (b), a person asserting a claim to protect information from disclosure under this Act shall substantiate the claim, in accordance with the regulations promulgated and guidance issued by the Administrator.

“(3) GUIDANCE.—The Administrator shall develop guidance regarding—

“(A) the determination of structurally descriptive generic names, in the case of claims for the protection against disclosure of specific chemical identity; and

“(B) the content and form of the statements of need and agreements required under paragraphs (4), (5), and (6) of subsection (e).

“(4) CERTIFICATION.—An authorized official of a person described in paragraph (1)(A) shall certify that the information that has been submitted is true and correct.

“(e) Exceptions to Protection From Disclosure.—Information described in subsection (a) shall be disclosed if—

“(1) the information is to be disclosed to an officer or employee of the United States in connection with the official duties of the officer or employee—

“(A) under any law for the protection of human health or the environment; or

“(B) for a specific law enforcement purpose;

“(2) the information is to be disclosed to a contractor of the United States and employees of that contractor—

“(A) if, in the opinion of the Administrator, the disclosure is necessary for the

satisfactory performance by the contractor of a contract with the United States for the performance of work in connection with this Act; and

“(B) subject to such conditions as the Administrator may specify;

“(3) the Administrator determines that disclosure is necessary to protect human health or the environment;

“(4) the information is to be disclosed to a State or political subdivision of a State, on written request, for the purpose of development, administration, or enforcement of a law, if—

“(A) 1 or more applicable agreements with the Administrator that conform with the guidance issued under subsection (d)(3)(B) ensure that the recipient will take appropriate measures, and has adequate authority, to maintain the confidentiality of the information in accordance with procedures comparable to the procedures used by the Administrator to safeguard the information; and

“(B) the Administrator notifies the person that submitted the information that the information has been disclosed to the State or political subdivision of a State;

“(5) a health or environmental professional employed by a Federal or State agency or a treating physician or nurse in a nonemergency situation provides a written statement of need and agrees to sign a written confidentiality agreement with the Administrator, subject to the conditions that—

“(A) the statement of need and confidentiality agreement shall conform with the guidance issued under subsection (d)(3)(B);

“(B) the written statement of need shall be a statement that the person has a reasonable basis to suspect that—

“(i) the information is necessary for, or will assist in—

“(I) the diagnosis or treatment of 1 or more individuals; or

“(II) responding to an environmental release or exposure; and

“(ii) 1 or more individuals being diagnosed or treated have been exposed to the chemical substance concerned, or an environmental release or exposure has occurred; and

“(C) the confidentiality agreement shall provide that the person will not use the information for any purpose other than the health or environmental needs asserted in the statement of need, except as otherwise may be authorized by the terms of the agreement or by the person submitting the information to the Administrator, except that nothing in this Act prohibits the disclosure of any such information through discovery, subpoena, other court order, or any other judicial process otherwise allowed under applicable Federal or State law;

“(6) in the event of an emergency, a treating physician, nurse, agent of a poison control center, public health or environmental official of a State or political subdivision of a State, or first responder (including any individual duly authorized by a Federal agency, State, or political subdivision of a State who is trained in urgent medical care or other emergency

procedures, including a police officer, firefighter, or emergency medical technician) requests the information, subject to the conditions that—

“(A) the treating physician, nurse, agent, public health or environmental official of a State or a political subdivision of a State, or first responder shall have a reasonable basis to suspect that—

“(i) a medical or public health or environmental emergency exists;

“(ii) the information is necessary for, or will assist in, emergency or first-aid diagnosis or treatment; or

“(iii) 1 or more individuals being diagnosed or treated have likely been exposed to the chemical substance concerned, or a serious environmental release of or exposure to the chemical substance concerned has occurred;

“(B) if requested by the person submitting the information to the Administrator, the treating physician, nurse, agent, public health or environmental official of a State or a political subdivision of a State, or first responder shall, as described in paragraph (5)—

“(i) provide a written statement of need; and

“(ii) agree to sign a confidentiality agreement; and

“(C) the written confidentiality agreement or statement of need shall be submitted as soon as practicable, but not necessarily before the information is disclosed;

“(7) the Administrator determines that disclosure is relevant in a proceeding under this Act, subject to the condition that the disclosure shall be made in such a manner as to preserve confidentiality to the maximum extent practicable without impairing the proceeding;

“(8) the information is to be disclosed, on written request of any duly authorized congressional committee, to that committee;

“(9) the information is publicly available; or

“(10) the information is required to be disclosed or otherwise made public under any other provision of Federal law.

“(f) Duration of Protection From Disclosure.—

“(1) IN GENERAL.—

“(A) INFORMATION PROTECTED FROM DISCLOSURE.—Subject to paragraph (2), the Administrator shall protect from disclosure information that meets the requirements of subsection (d) for a period of 10 years, unless, prior to the expiration of the period—

“(i) an affected person notifies the Administrator that the person is withdrawing the confidentiality claim, in which case the Administrator shall promptly make the information available to the public; or

“(ii) the Administrator otherwise becomes aware that the need for protection from disclosure can no longer be substantiated, in which case the Administrator shall take the actions described in subsection (g)(2).

“(B) EXTENSIONS.—

1 “(i) IN GENERAL.—Not later than the date that is 60 days before the expiration
2 of the period described in subparagraph (A), the Administrator shall provide to
3 the person that asserted the claim a notice of the impending expiration of the
4 period.

5 “(ii) STATEMENT.—

6 “(I) IN GENERAL.—Not later than the date that is 30 days before the
7 expiration of the period described in subparagraph (A), a person reasserting
8 the relevant claim shall submit to the Administrator a statement
9 substantiating, in accordance with subsection (d)(2), the need to extend the
10 period.

11 “(II) ACTION BY ADMINISTRATOR.—Not later than the date that is 30 days
12 after the date of receipt of a statement under subclause (I), the Administrator
13 shall—

14 “(aa) review the request;

15 “(bb) make a determination regarding whether the information for
16 which the request is made continues to meet the relevant criteria
17 established under this section; and

18 “(cc)(AA) grant an extension of not more than 10 years; or

19 “(BB) deny the claim.

20 “(C) NO LIMIT ON NUMBER OF EXTENSIONS.—There shall be no limit on the number
21 of extensions granted under subparagraph (B), if the Administrator determines that the
22 relevant statement under subparagraph (B)(ii)(I)—

23 “(i) establishes the need to extend the period; and

24 “(ii) meets the requirements established by the Administrator.

25 “(2) REVIEW AND RESUBSTANTIATION.—

26 “(A) DISCRETION OF ADMINISTRATOR.—The Administrator may review, at any time,
27 a claim for protection against disclosure under subsection (a) for information submitted
28 to the Administrator regarding a chemical substance and require any person that has
29 claimed protection for that information, whether before, on, or after the date of
30 enactment of the Chemical Safety Improvement Act, to withdraw or reassert and
31 substantiate or resubstantiate the claim in accordance with this section—

32 “(i) after the chemical substance is identified as a high-priority substance under
33 section 4A;

34 “(ii) for any chemical substance for which the Administrator has made a
35 determination under section 6(c)(1)(C);

36 “(iii) for any inactive chemical substance identified under section 8(b)(5); or

37 “(iv) in limited circumstances, if the Administrator determines that disclosure
38 of certain information currently protected from disclosure would assist the
39 Administrator in conducting safety assessments and safety determinations under
40 subsections (b) and (c) of section 6 or promulgating regulations pursuant to

section 6(d), subject to the condition that the information shall not be disclosed unless the claimant withdraws the claim or the Administrator determines that the information does not meet the requirements of subsection (d).

“(B) REVIEW REQUIRED.—The Administrator shall review a claim for protection from disclosure under subsection (a) for information submitted to the Administrator regarding a chemical substance and require any person that has claimed protection for that information, whether before, on, or after the date of enactment of the Chemical Safety Improvement Act, to withdraw or reassert and substantiate or resubstantiate the claim in accordance with this section—

“(i) as necessary to comply with a request for information received by the Administrator under section 552 of title 5, United States Code;

“(ii) if information available to the Administrator provides a basis that the requirements of section 552(b)(4) of title 5, United States Code, are no longer met; or

“(iii) for any substance for which the Administrator has made a determination under section 6(c)(1)(B).

“(C) ACTION BY RECIPIENT.—If the Administrator makes a request under subparagraph (A) or (B), the recipient of the request shall—

“(i) reassert and substantiate or resubstantiate the claim; or

“(ii) withdraw the claim.

“(D) PERIOD OF PROTECTION.—Protection from disclosure of information subject to a claim that is reviewed and approved by the Administrator under this paragraph shall be extended for a period of 10 years from the date of approval, subject to any subsequent request by the Administrator under this paragraph.

“(3) UNIQUE IDENTIFIER.—The Administrator shall—

“(A)(i) develop a system to assign a unique identifier to each specific chemical identity for which the Administrator approves a request for protection from disclosure, other than a specific chemical identity or structurally descriptive generic term; and

“(ii) apply that identifier consistently to all information relevant to the applicable chemical substance;

“(B) annually publish and update a list of chemical substances, referred to by unique identifier, for which claims to protect the specific chemical identity from disclosure have been approved, including the expiration date for each such claim;

“(C) ensure that any nonconfidential information received by the Administrator with respect to such a chemical substance during the period of protection from disclosure—

“(i) is made public; and

“(ii) identifies the chemical substance using the unique identifier; and

“(D) for each claim for protection of specific chemical identity that has been denied by the Administrator on expiration of the period for appeal under subsection (g)(3), that has expired, or that has been withdrawn by the submitter, provide public access to

the specific chemical identity clearly linked to all nonconfidential information received by the Administrator with respect to the chemical substance.

“(g) Duties of Administrator.—

“(1) DETERMINATION.—

“(A) IN GENERAL.—Except as provided in subsection (b), the Administrator shall, subject to subparagraph (C), not later than 90 days after the receipt of a claim under subsection (d), and not later than 30 days after the receipt of a request for extension of a claim under subsection (f), review and approve, modify, or deny the claim or request.

“(B) DENIAL OR MODIFICATION.—

“(i) IN GENERAL.—Except as provided in subsections (c) and (f), the Administrator shall deny a claim to protect a chemical identity from disclosure only if the person that has submitted the claim fails to meet the requirements of subsections (a) and (d).

“(ii) REASONS FOR DENIAL OR MODIFICATION.—The Administrator shall provide to a person that has submitted a claim described in clause (i) a written statement of the reasons for the denial or modification of the claim.

“(C) SUBSETS.—The Administrator shall—

“(i) except for claims described in subsection (b)(7), review all claims under this section for the protection against disclosure of the specific identity of a chemical substance; and

“(ii) review a representative subset, comprising at least 25 percent, of all other claims for protection against disclosure.

“(D) EFFECT OF FAILURE TO ACT.—The failure of the Administrator to make a decision regarding a claim for protection against disclosure or extension under this section shall not be the basis for denial or elimination of a claim for protection against disclosure.

“(2) NOTIFICATION.—

“(A) IN GENERAL.—Except as provided in subparagraph (B) and subsections (c), (e), and (f), if the Administrator denies or modifies a claim under paragraph (1), the Administrator shall notify, in writing and by certified mail, the person that submitted the claim of the intent of the Administrator to release the information.

“(B) RELEASE OF INFORMATION.—

“(i) IN GENERAL.—Except as provided in clause (ii), the Administrator shall not release information under this subsection until the date that is 30 days after the date on which the person that submitted the request receives notification under subparagraph (A).

“(ii) EXCEPTIONS.—

“(I) IN GENERAL.—For information under paragraph (3) or (8) of subsection (e), the Administrator shall not release that information until the date that is 15 days after the date on which the person that submitted the

claim receives a notification, unless the Administrator determines that release of the information is necessary to protect against an imminent and substantial harm to human health or the environment, in which case no prior notification shall be necessary.

“(II) NO NOTIFICATION.—For information under paragraph (1), (2), (6), (7), (9), or (10) of subsection (e), no prior notification shall be necessary.

“(3) APPEALS.—

“(A) IN GENERAL.—If a person receives a notification under paragraph (2) and believes disclosure of the information is prohibited under subsection (a), before the date on which the information is to be released, the person may bring an action to restrain disclosure of the information in—

“(i) the United States district court of the district in which the complainant resides or has the principal place of business; or

“(ii) the United States District Court for the District of Columbia.

“(B) NO DISCLOSURE.—The Administrator shall not disclose any information that is the subject of an appeal under this section before the date on which the applicable court rules on an action under subparagraph (A).

“(4) ADMINISTRATION.—In carrying out this subsection, the Administrator shall use the procedures described in part 2 of title 40, Code of Federal Regulations (or successor regulations).

“(h) Criminal Penalty for Wrongful Disclosure.—

“(1) OFFICERS AND EMPLOYEES OF UNITED STATES.—

“(A) IN GENERAL.—Subject to paragraph (2), a current or former officer or employee of the United States described in subparagraph (B) shall be guilty of a misdemeanor and fined under title 18, United States Code, or imprisoned for not more than 1 year, or both.

“(B) DESCRIPTION.—A current or former officer or employee of the United States referred to in subparagraph (A) is a current or former officer or employee of the United States who—

“(i) by virtue of that employment or official position has obtained possession of, or has access to, material the disclosure of which is prohibited by subsection (a); and

“(ii) knowing that disclosure of that material is prohibited by subsection (a), willfully discloses the material in any manner to any person not entitled to receive that material.

“(2) OTHER LAWS.—Section 1905 of title 18, United States Code, shall not apply with respect to the publishing, divulging, disclosure, making known of, or making available, information reported or otherwise obtained under this Act.

“(3) CONTRACTORS.—For purposes of this subsection, any contractor of the United States that is provided information in accordance with subsection (e)(2), including any employee

of that contractor, shall be considered to be an employee of the United States.

“(i) Applicability.—

“(1) IN GENERAL.—Except as otherwise provided in this section, section 8, or any other applicable Federal law, the Administrator shall have no authority—

“(A) to require the substantiation or resubstantiation of a claim for the protection from disclosure of information submitted to the Administrator under this Act before the date of enactment of the Chemical Safety Improvement Act; or

“(B) to impose substantiation or resubstantiation requirements under this Act that are more extensive than those required under this section.

“(2) PRIOR ACTIONS.—Nothing in this Act prevents the Administrator from reviewing, requiring substantiation or resubstantiation for, or approving, modifying or denying any claim for the protection from disclosure of information before the effective date of such regulations applicable to those claims as the Administrator may promulgate after the date of enactment of the Chemical Safety Improvement Act.”.

SEC. 16. PROHIBITED ACTS.

Section 15 of the Toxic Substances Control Act (15 U.S.C. 2614) is amended by striking paragraph (1) and inserting the following:

“(1) fail or refuse to comply with—

“(A) any regulation promulgated, consent agreement entered into, or order issued under section 4;

“(B) any requirement under section 5 or 6;

“(C) any regulation promulgated, consent agreement entered into, or order issued under section 5 or 6; or

“(D) any requirement of, or any regulation promulgated or order issued pursuant to title II;”.

SEC. 17. PENALTIES.

Section 16 of the Toxic Substances Control Act (15 U.S.C. 2615) is amended—

(1) in subsection (a)(1)—

(A) in the first sentence—

(i) by inserting “this Act or a regulation or order promulgated or issued pursuant to this Act, including” after “a provision of”; and

(ii) by striking “\$25,000” and inserting “\$37,500”; and

(B) in the second sentence, by striking “violation of section 15 or 409” and inserting “violation of this Act”; and

(2) in subsection (b)—

(A) by striking “Any person who” and inserting the following:

“ (1) IN GENERAL.—Any person that”;

(B) by striking “section 15 or 409” and inserting “this Act”;

(C) by striking “\$25,000” and inserting “\$50,000”; and

(D) by adding at the end the following:

“(2) IMMINENT DANGER OF DEATH OR SERIOUS BODILY INJURY.—

“(A) IN GENERAL.—Any person that knowingly or willfully violates any provision of this Act, and that knows at the time of the violation that the violation places an individual in imminent danger of death or serious bodily injury, shall be subject on conviction to a fine of not more than \$250,000, or imprisonment for not more than 15 years, or both.

“(B) ORGANIZATIONS AND ENTITIES.—An [organization or entity] that commits a violation described in subparagraph (A) shall be subject on conviction to a fine of not more than \$1,000,000 for each violation.

“(3) KNOWLEDGE OF IMMINENT DANGER OR INJURY.—For purposes of determining whether a defendant knew that the violation placed another individual in imminent danger of death or serious bodily injury—

“(A) the defendant shall be responsible only for actual awareness or actual belief possessed; and

“(B) knowledge possessed by another individual may not be attributed to the defendant.”.

SEC. 18. STATE-FEDERAL RELATIONSHIP.

Section 18 of the Toxic Substances Control Act (15 U.S.C. 2617) is amended by striking subsections (a) and (b) and inserting the following:

“(a) In General.—

“(1) ESTABLISHMENT OR ENFORCEMENT.—Except as provided in subsections (c) and (d) and subject to paragraphs (2) and (3), no State or political subdivision of a State may establish or continue to enforce any of the following:

“(A) TESTING AND INFORMATION COLLECTION.—A statute or administrative action to require the development of information on a chemical substance or category of substances that is reasonably likely to produce the same information required under section 4, 5, or 6 in—

“(i) a rule promulgated by the Administrator;

“(ii) a testing consent agreement entered into by the Administrator; or

“(iii) an order issued by the Administrator.

“(B) CHEMICAL SUBSTANCES FOUND TO MEET THE SAFETY STANDARD OR RESTRICTED.—A statute or administrative action to prohibit or restrict the manufacture, processing, or distribution in commerce or use of a chemical substance—

“(i) found to meet the safety standard and consistent with the scope of the

determination made under section 6; or

“(ii) found not to meet the safety standard, after the effective date of the rule issued under section 6(d) for the substance, consistent with the scope of the determination made by the Administrator.

“(C) SIGNIFICANT NEW USE.—A statute or administrative action requiring the notification of a use of a chemical substance that the Administrator has specified as a significant new use and for which the Administrator has required notification pursuant to a rule promulgated under section 5.

“(2) SCOPE OF CERTAIN PREEMPTION.—Under this subsection, Federal preemption provided under paragraph (1)(B) of State statutes and administrative actions applicable to specific substances shall apply only to the uses or conditions of use of such substances that are included in the scope of the safety determination made by the Administrator for the substance, and of any rule the Administrator promulgates pursuant to section 6(d).

“(3) EFFECTIVE DATE OF PREEMPTION.—Under this subsection, Federal preemption of State statutes and administrative actions applicable to specific substances shall not occur until the effective date of the applicable action described in paragraph (1) taken by the Administrator.

“(b) New Statutes or Administrative Actions Creating Prohibitions or Restrictions.—Except as provided in subsections (c) and (d), no State or political subdivision of a State may establish (after the date of enactment of the Chemical Safety Improvement Act) a statute or administrative action prohibiting or restricting the manufacture, processing, distribution in commerce or use of a chemical substance that is a high-priority substance designated under section 4A, as of the date on which the Administrator commences a safety assessment under section 6.

“(c) Exceptions.—

“(1) IN GENERAL.—Subsections (a) and (b) shall not apply to a statute or administrative action of a State or a political subdivision of a State applicable to a specific chemical substance that—

“(A) is adopted under the authority of, or authorized to comply with, any other Federal law;

“(B) implements a reporting, monitoring, or other information collection obligation for the chemical substance not otherwise required by the Administrator under this Act or required under any other Federal law; or

“(C) is adopted pursuant to authority under a law of the State or political subdivision of the State related to water quality, air quality, or waste treatment or disposal, unless that action taken by the State or political subdivision of a State—

“(i) imposes a restriction on the manufacture, processing, distribution in commerce, or use of a chemical substance; and

“(ii)(I) is already required by an action by the Administrator under section 5 or 6;

“(II) is taken to address the same specific human health or environmental concern as an action taken by the Administrator under section 5 or 6 but is

inconsistent with the action of the Administrator; or

“(III) would cause a violation of the applicable action by the Administrator under section 5 or 6.

“(2) NO PREEMPTION OF STATE STATUTES AND ADMINISTRATIVE ACTIONS.—Nothing in this Act, nor any amendment made by this Act, nor any regulation, standard of performance, safety determination, or scientific assessment implemented pursuant to this Act, shall affect the right of a State or a political subdivision of a State to adopt or enforce any regulation, standard of performance, safety determination, scientific assessment, or any protection for public health or the environment that—

“(A) is adopted under the authority of, or authorized to comply with, any other Federal law;

“(B) implements a reporting, monitoring, or other information collection obligation for the chemical substance not otherwise required by the Administrator under this Act or required under any other Federal law; or

“(C) is adopted pursuant to authority under a law of the State or political subdivision of the State related to water quality, air quality, or waste treatment or disposal, unless that action taken by the State or political subdivision of a State—

“(i) imposes a restriction on the manufacture, processing, distribution in commerce, or use of a chemical substance; and

“(ii)(I) is already required by an action by the Administrator under section 5 or 6;

“(II) is taken to address the same specific human health or environmental concern as an action taken by the Administrator under section 5 or 6 but is inconsistent with the action of the Administrator; or

“(III) would cause a violation of the applicable action by the Administrator under section 5 or 6.

“(3) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as requiring the Administrator to modify or withdraw, any rule or order under section 5 or 6 of this Act, or as modifying the effect of this section as enacted prior to the effective date of the Chemical Safety Improvement Act on any rule or order promulgated or issued under this Act prior to the effective date of the Chemical Safety Improvement Act.

“(d) Preservation of Certain State Law.—Nothing in this section shall be construed to preempt or otherwise affect any statute or administrative action that prohibits or restricts chemical manufacturing, processing, distribution in commerce, or use established pursuant to State law that was in effect on January 1, 2015.

“(e) State Waivers.—

“(1) IN GENERAL.—Upon application of a State or political subdivision of a State, the Administrator may—

“(A) by rule, exempt from subsection (a), under such conditions as may be prescribed in the rule, a statute or administrative action of that State or political

subdivision of the State that relates to the effects of, or exposure to, a chemical substance under the intended or reasonably anticipated conditions of use if the Administrator determines that—

“(i) compelling State or local conditions warrant granting the waiver to protect human health or the environment;

“(ii) compliance with the proposed requirement of the State or political subdivision of the State would not unduly burden interstate and foreign commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

“(iii) compliance with the proposed requirement of the State or political subdivision of the State would not cause a violation of any applicable Federal law, rule, or order; and

“(iv) based on the judgment of the Administrator, the proposed requirement of the State or political subdivision of the State is consistent with sound objective scientific practices, the weight of the evidence, and the best available science; or

“(B) exempt from subsection (b) a statute or administrative action of a State or political subdivision of a State that relates to the effects of exposure to a chemical substance under the intended or reasonably intended conditions of use if the Administrator determines that—

“(i) the State has a compelling local interest that warrants granting the waiver to protect human health or the environment;

“(ii) compliance with the proposed requirement of the State will not unduly burden interstate commerce in the manufacture, processing, distribution in commerce, or use of a chemical substance;

“(iii) compliance with the proposed requirement would not cause a violation of any applicable Federal law, rule, or order; and

“(iv) the proposed requirement is grounded in reasonable scientific concern.

“(2) APPROVAL OF A STATE WAIVER REQUEST.—The Administrator shall grant or deny a waiver application—

“(A) not later than 180 days after the date on which an application under paragraph (1)(A) is submitted; and

“(B) not later than 90 days after the date on which an application under paragraph (1)(B) is submitted.

“(3) NOTICE AND COMMENT.—The application of a State or political subdivision of the State shall be subject to public notice and comment.

“(4) FINAL AGENCY ACTION.—The decision of the Administrator on the application of a State or political subdivision of the State shall be—

“(A) considered to be a final agency action; and

“(B) subject to judicial review.

1 “(5) DURATION OF WAIVERS.—A waiver granted under paragraph (1)(B) shall remain in
2 effect until the later of—

3 “(A) such time as the safety assessment and determination is completed; and

4 “(B) the date on which compliance with an applicable rule issued under section 6(d)
5 is required.

6 “(6) JUDICIAL REVIEW.—Not later than 60 days after the date on which the Administrator
7 makes a determination on an application of a State or political subdivision of the State
8 under subparagraph (A) or (B) of paragraph (1), any person may file a petition for judicial
9 review in the United States Court of Appeals for the District of Columbia Circuit, which
10 shall have exclusive jurisdiction over the determination.

11 “(7) SAVINGS.—

12 “(A) NO PREEMPTION OF COMMON LAW OR STATUTORY CAUSES OF ACTION FOR CIVIL
13 RELIEF OR CRIMINAL CONDUCT.—Nothing in this Act, nor any amendment made by this
14 Act, nor any regulation, requirement, standard of performance, safety determination, or
15 scientific assessment implemented pursuant to this Act, shall be construed to preempt,
16 displace, or supplant any state or Federal common law rights or any state or Federal
17 statute creating a remedy for civil relief, including those for civil damage, or a penalty
18 for a criminal conduct.

19 “(B) CLARIFICATION OF NO PREEMPTION.—Notwithstanding any other provision in
20 this Act, nothing in this Act, nor any amendments made by this Act, shall preempt or
21 preclude any cause of action for personal injury, wrongful death, property damage, or
22 other injury based on negligence, strict liability, products liability, failure to warn, or
23 any other legal theory of liability under any state, maritime, or Federal common law or
24 statutory theory.

25 “(C) NO EFFECT ON PRIVATE REMEDIES.—

26 “(i) Nothing in this Act, nor any amendments made by this Act, nor any rules,
27 regulations, requirements, safety assessments, safety determinations, scientific
28 assessments, or orders issued pursuant to this Act shall be interpreted as, in either
29 the plaintiff’s or defendant’s favor, dispositive in any civil action.

30 “(ii) This Act does not affect the authority of any court to make a determination
31 in an adjudicatory proceeding under applicable State or Federal law with respect
32 to the admission into evidence or any other use of this Act or rules, regulations,
33 requirements, standards of performance, safety assessments, scientific
34 assessments, or orders issued pursuant to this Act.”.

35 SEC. 19. JUDICIAL REVIEW.

36 Section 19 of the Toxic Substances Control Act (15 U.S.C. 2618) is amended—

37 (1) in subsection (a)—

38 (A) in paragraph (1)—

39 (i) in subparagraph (A), by striking “section 4(a), 5(a)(2), 5(b)(4), 6(a), 6(e), or
40 8, or under title II or IV” and inserting “section 4(a), 5(d)(4), 6(d), or 8”; and

(ii) in subparagraph (B), by striking “an order issued under subparagraph (A) or (B) of section 6(b)(1)” and inserting [“a regulation promulgated pursuant to section 6(d)”]; and

(B) in paragraph (2), in the first sentence, by striking “paragraph (1)(A)” and inserting “paragraph (1)”; and

(C) by striking paragraph (3); and

(2) in subsection (c)(1)—

(A) in subparagraph (B)—

(i) in clause (i)—

(I) by striking “section 4(a), 5(b)(4), 6(a), or 6(e)” and inserting “section 4(a), 5(d)(4), or 6(d)”;

(II) by striking “evidence in the rulemaking record (as defined in subsection (a)(3)) taken as a whole;” and inserting “evidence (including any matter) in the rulemaking record, taken as a whole; and”;

(ii) by striking clauses (ii) and (iii) and the matter following clause (iii) and inserting the following:

“(ii) the court may not review the contents and adequacy of any statement of basis and purpose required by section 553(c) of title 5, United States Code, to be incorporated in the regulation, except as part of the rulemaking record, taken as a whole.”;

[(B) by striking subparagraph (C).]

SEC. 20. CITIZENS’ PETITIONS.

Section 21 of the Toxic Substances Control Act (15 U.S.C. 2620) is amended—

(1) in subsection (a), by striking “an order under section 5(e) or 6(b)(2)” and inserting “an order under section 4 or 5(d)”;

(2) in subsection (b)—

(A) in paragraph (1), by striking “an order under section 5(e), 6(b)(1)(A), or 6(b)(1)(B)” and inserting “an order under section 4 or 5(d)”;

(B) in paragraph (4), by striking subparagraph (B) and inserting the following:

“(B) DE NOVO PROCEEDING.—

“(i) IN GENERAL.—In an action under subparagraph (A) to initiate a proceeding to promulgate a regulation pursuant to section 4, 5(d), 6(b), 6(c), 6(d), or 8 or an order issued under section 4 or 5(d), the petitioner shall be provided an opportunity to have the petition considered by the court in a de novo proceeding.

“(ii) DEMONSTRATION.—

“(I) IN GENERAL.—The court in a de novo proceeding under this subparagraph shall order the Administrator to initiate the action requested by

the petitioner if the petitioner demonstrates to the satisfaction of the court by a preponderance of the evidence that—

“(aa) in the case of a petition to initiate a proceeding for the issuance of a regulation or order under section 4, the information available to the Administrator is insufficient for the Administrator to perform an action described in section 4 or 6(d);

“(bb) in the case of a petition to issue an order under section 5(d), there is a reasonable basis to conclude that the chemical substance is not likely to meet the safety standard;

“(cc) in the case of a petition to initiate a proceeding for the issuance of a regulation under section 6(d), there is a reasonable basis to conclude that the chemical substance will not meet the safety standard; or

“(dd) in the case of a petition to initiate a proceeding for the issuance of a regulation under section 8, there is a reasonable basis to conclude that the regulation is necessary to protect human health or the environment from an unreasonable risk of harm to human health or the environment.

“(II) DEFERMENT.—The court in a de novo proceeding under this subparagraph may permit the Administrator to defer initiating the action requested by the petitioner until such time as the court prescribes, if the court finds that—

“(aa) the extent of the risk to human health or the environment alleged by the petitioner is less than the extent of risks to human health or the environment with respect to which the Administrator is taking action under this Act; and

“(bb) there are insufficient resources available to the Administrator to take the action requested by the petitioner.”.

SEC. 21. EMPLOYMENT EFFECTS.

Section 24(b)(2)(B)(ii) of the Toxic Substances Control Act (15 U.S.C. 2623(b)(2)(B)(ii)) is amended by striking “section 6(c)(3),” and inserting “the applicable requirements of this Act;”.

SEC. 22. STUDIES.

Section 25 of the Toxic Substances Control Act (15 U.S.C. 2624) is repealed.

SEC. 23. ADMINISTRATION.

Section 26 of the Toxic Substances Control Act (15 U.S.C. 2625) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) Fees.—

“(1) IN GENERAL.—The Administrator shall establish, not later than 1 year after the date

1 of enactment of the Chemical Safety Improvement Act, by rule—

2 “(A) the payment of 1 or more reasonable fees as a condition of submitting a notice
3 or requesting an exemption under section 5;

4 “(B) the payment of 1 or more reasonable fees by a manufacturer or processor that—

5 “(i) submits a notice pursuant to the rule promulgated under section 8(b)(4)
6 identifying a chemical substance as active;

7 “(ii) submits a notice pursuant to section 8(b)(5)(E)(i) changing the status of a
8 chemical substance from inactive to active;

9 “(iii) is required to report information pursuant to the rules promulgated under
10 section 8(a)(4); and

11 “(iv) manufactures or processes a chemical designated by the Administrator as
12 a high-priority substance pursuant to section 4A(b).

13 “(2) UTILIZATION AND COLLECTION OF FEES.—The Administrator shall—

14 “(A) utilize the fees collected under paragraph (1) only to defray costs associated
15 with the actions of the Administrator—

16 “(i) to collect, process, review, provide access to, and protect from disclosure
17 (where appropriate) information on chemical substances under this Act;

18 “(ii) to make determinations for chemical substances under section 5(c)(3) and
19 impose and necessary restrictions under section 5(c)(4);

20 “(iii) to make prioritization decisions under section 4A;

21 “(iv) to conduct and complete safety assessments and determinations under
22 section 6; and

23 “(v) to conduct any necessary rulemaking pursuant to section 6(d);

24 “(B) insofar as possible, collect the fees described in paragraph (1) in advance of
25 conducting any fee-supported activity;

26 “(C) deposit the fees in the Fund established by paragraph (4)(A); and

27 “(D) not collect excess fees or retain a significant amount of unused fees.

28 “(3) AMOUNT AND ADJUSTMENT OF FEES; REFUNDS.—In setting fees under this section,
29 the Administrator shall—

30 “(A) take into account the cost to the Administrator of conducting the activities
31 described in paragraph (2);

32 “(B) prescribe lower fees for small business concerns, after consultation with the
33 Administrator of the Small Business Administration;

34 “(C) set the fees established under paragraph (1) at levels such that the fees will, in
35 aggregate, provide a sustainable source of funds to defray a portion of the costs of
36 conducting the activities identified in that paragraph, not to exceed [] percent of the
37 cost of conducting the activities described in paragraph (2)(A);

1 “(D) establish appropriate criteria for manufacturers or processors that results in a
2 proportionate assessment of fees;

3 “(E) for substances designated as additional priorities pursuant to section 4A(d),
4 establish the fee at a level sufficient to defray the costs to the Administrator of
5 conducting the safety assessment and safety determination under section 6;

6 “(F) prior to the establishment or amendment of any fees under paragraph (1),
7 consult and meet with parties potentially subject to the fees or their representatives,
8 subject to the condition that no obligation under the Federal Advisory Committee Act
9 (5 U.S.C. App.) or subchapter III of chapter 5 of title 5, United States Code, shall
10 accrue with respect to such meetings;

11 “(G) beginning with the fiscal year that is 3 years after the date of enactment of the
12 Chemical Safety Improvement Act, and every 3 years thereafter, after consultation
13 with parties potentially subject to the fees and their representatives, increase or
14 decrease the fees established under paragraph (1) as necessary—

15 “(i) to ensure that funds deposited in the Fund are sufficient and not more than
16 reasonably necessary to defray the portion of the costs specified in subparagraph
17 (C) of conducting the activities identified in paragraph (1);

18 “(ii) to account for inflation; and

19 “(iii) to minimize, to the maximum extent practicable, shortfalls in or an
20 accumulation of unused amounts in the Fund established by paragraph (4)(A);

21 “(H) adjust fees established under paragraph (1) as necessary to vary on account of
22 differing circumstances, including reduced fees or waivers in appropriate
23 circumstances, to reduce the burden on manufacturing or processing, remove barriers
24 to innovation, or where the costs to the Administrator of collecting the fees exceed the
25 fee revenue anticipated to be collected; and

26 “(I) if a notice submitted under section 5 is refused or subsequently withdrawn,
27 refund the fee or a portion of the fee if no substantial work was performed on the
28 notice.

29 “(4) TSCA IMPLEMENTATION FUND.—

30 “(A) ESTABLISHMENT.—There is established in the Treasury of the United States a
31 fund, to be known as the ‘TSCA Implementation Fund’ (referred to in this subsection
32 as the ‘Fund’), consisting of—

33 “(i) such amounts as are deposited in the Fund under paragraph (2)(C); and

34 “(ii) any interest earned on the investment of amounts in the Fund; and

35 “(iii) any proceeds from the sale or redemption of investments held in the Fund.

36 “(B) CREDITING AND AVAILABILITY OF FEES.—

37 “(i) IN GENERAL.—Fees authorized under this section shall be collected and
38 available for obligation only to the extent and in the amount provided in advance
39 in appropriations Acts, and shall be available without fiscal year limitation.

40 “(ii) REQUIREMENTS.—Fees collected under this section shall not—

1 “(I) be made available or obligated for any purpose other than to defray
2 the costs of conducting the activities identified in paragraph (1);

3 “(II) otherwise be available for any purpose other than implementation of
4 this Act; and

5 “(III) so long as amounts in the Fund remain available, be subject to
6 restrictions on expenditures applicable to the Federal government as a whole.

7 “(C) UNUSED FUNDS.—Amounts in the Fund not currently needed to carry out this
8 paragraph shall be—

9 “(i) maintained readily available or on deposit;

10 “(ii) invested in obligations of the United States or guaranteed by the United
11 States; or

12 “(iii) invested in obligations, participations, or other instruments that are lawful
13 investments for fiduciary, trust, or public funds.

14 “(D) MINIMUM AMOUNT OF APPROPRIATIONS.—Fees may not be assessed for a fiscal
15 year under this section unless the amount of appropriations for salaries, contracts, and
16 expenses for the functions (as in existence in fiscal year 2015) of the Office of
17 Pollution Prevention and Toxics of the Environmental Protection Agency for the fiscal
18 year (excluding the amount of any fees appropriated for the fiscal year) are equal to or
19 greater than the amount of appropriations for covered functions for fiscal year 2015
20 (excluding the amount of any fees appropriated for the fiscal year).

21 “(5) AUDITING.—

22 “(A) FINANCIAL STATEMENTS OF AGENCIES.—For the purpose of section 3515(c) of
23 title 31, United States Code, the Fund shall be considered a component of an executive
24 agency.

25 “(B) COMPONENTS.—The annual audit required under sections 3515(b) and 3521 of
26 that title of the financial statements of activities under this section shall include an
27 analysis of—

28 “(i) the fees collected under paragraph (1) and disbursed;

29 “(ii) compliance with the deadlines established in section 6 of this Act;

30 “(iii) the amounts budgeted, appropriated, collected from fees, and disbursed to
31 meet the requirements of sections 4, 4A, 5, 6, 8, and 14, including the allocation
32 of full time equivalent employees to each such section or activity; and

33 “(iv) the reasonableness of the allocation of the overhead allocation of costs
34 associated with the conduct of the activities described in paragraph (1).

35 “(C) INSPECTOR GENERAL.—The Inspector General of the Environmental Protection
36 Agency shall—

37 “(i) conduct the annual audit required under this subsection; and

38 “(ii) report the findings and recommendations of the audit to the Administrator
39 and to the appropriate committees of Congress.

1 “(6) TERMINATION.—The authority provided by this section shall terminate at the
2 conclusion of the fiscal year that is [10/15] years after the date of enactment of the
3 Chemical Safety Improvement Act, unless otherwise reauthorized or modified by
4 Congress.”; and

5 (2) in subsection (e), by striking “Health, Education, and Welfare” each place it appears
6 and inserting “Health and Human Services”.

7 SEC. 24. DEVELOPMENT AND EVALUATION OF TEST 8 METHODS.

9 Section 27(a) of the Toxic Substances Control Act (15 U.S.C. 2626(a)) is amended in the first
10 sentence by striking “Health, Education, and Welfare” and inserting “Health and Human
11 Services”.

12 SEC. 25. STATE PROGRAMS.

13 Section 28 of the Toxic Substances Control Act (15 U.S.C. 2627) is amended—

14 (1) in subsection (b)(1)—

15 (A) in subparagraphs (A) through (D), by striking the comma at the end of each
16 subparagraph and inserting a semicolon; and

17 (B) in subparagraph (E), by striking “, and” and inserting “; and”; and

18 (2) by striking subsections (c) and (d).

19 SEC. 26. AUTHORIZATION OF APPROPRIATIONS.

20 Section 29 of the Toxic Substances Control Act (15 U.S.C. 2628) is repealed.

21 SEC. 27. ANNUAL REPORT.

22 Section 30 of the Toxic Substances Control Act (15 U.S.C. 2629) is amended by striking
23 paragraph (2) and inserting the following:

24 “(2)(A) the number of notices received during each year under section 5; and

25 “(B) the number of the notices described in subparagraph (A) for chemical substances
26 subject to a regulation, testing consent agreement, or order under section 4;”.

27 SEC. 28. EFFECTIVE DATE.

28 Section 31 of the Toxic Substances Control Act (15 U.S.C. 2601 note; Public Law 94–469) is
29 amended by striking “Except as provided in section 4(f), this” and inserting “This”.

From: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Sent: 1/8/2015 2:42:49 PM
To: Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Vaught, Laura [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c30920bcb6214a91b7e3c1e7810c63e1-Vaught, Laura]; Distefano, Nichole [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=31d32a3a3a9e4591b5fdcf3eb96e8b78-Distefano,]
Subject: FW: Inhofe says highway bill, EPA oversight are top panel priorities

Inhofe also released the top four priorities of the committee in the 114th Congress:

Highway Transportation Bill (MAP-21) – The current patch will expire at the end of May. Top priority will be to pass a fiscally responsible, long-term transportation bill that builds upon reforms in MAP-21, better coordinates funding needs with private and state partners, and eliminates wasteful spending.

Conduct rigorous oversight of EPA regulations – The committee will conduct oversight hearings on EPA regulations and work toward legislation, targeted CRA opportunities and riders to address the following actions from the EPA: greenhouse gas rule, Waters of the United States rule, expected methane oil and gas emissions guidance, Ozone NAAQS rule, President's Climate Action Plan, and the social cost of carbon tool. EPA's regulations under the Obama Administration will increase the cost to do business in America, make our electricity grid less reliable and less affordable, and restrict economic opportunity for future generations.

Endangered Species Act – The committee will conduct needed oversight on ESA to restore local control of conservation efforts and expose sue and settle gaming of the program. ESA expired in 1992 and has continued each year by appropriations. ESA, as it stands, disincentivizes states and local communities from setting their own goals to meet or even exceed ESA standards. Resources are also being depleted responding to lawsuit after lawsuit from radical environmental groups rather than being used for important conservation on species that are a high priority for protection.

Toxic Substances Control Act (TSCA) reauthorization – This statute has not been reauthorized and modernized for the chemical sector since 1976. With bipartisan effort, the committee has the opportunity to make Senate history in assisting valuable industries to help spur development for the many products we use in daily life. At the end of the 113th Congress, TSCA reauthorization included 26 bipartisan cosponsors including Senate Democratic leadership. TSCA, as it stands, has resulted in regulatory uncertainty for businesses and incomplete and inadequate state regulations to the detriment of the health and safety of American families.

From: POLITICO Pro Whiteboard
Sent: Wednesday, January 07, 2015 4:27:23 PM (UTC-05:00) Eastern Time (US & Canada)
Subject: Inhofe says highway bill, EPA oversight are top panel priorities

1/7/15 4:26 PM EST

Sen. Jim Inhofe said Wednesday that passing a long-term highway bill and reining in EPA regulations will be his top two priorities as the incoming chairman of the Senate Environment and Public Works Committee.

Other priorities include conducting oversight of the Endangered Species Act and the Nuclear Regulatory Commission, as well as reauthorizing the Toxic Substances Control Act, the Brownfields program and the Economic Development Administration.

Inhofe, in a meeting with reporters Wednesday afternoon, offered limited details on his plans. But he said he and his fellow Senate Republicans intend to use the Congressional Review Act, a seldom-invoked law that allows lawmakers to repeal a final regulation with a simple majority vote, to overturn EPA rules on climate change, among others.

And he said working on a long-term highway bill will be his first order of business.

"We want a long-term transportation bill. A sizeable and a robust one," he said.

And he appeared to leave the door open to an increase in the gas tax, echoing the recent comments of Sen. John Thune.

"The other day on a Sunday show, John Thune said nothing is off the table and I agree with him," Inhofe said.

— *Andrew Restuccia*



From: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Sent: 7/22/2015 8:07:13 PM
To: Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]
Subject: Roll Call - Lynn Goldman

FYI...

To Protect the Public Health, New Chemicals Must Be Found Safe Before Use | Commentary

- By Lynn R. Goldman
- July 22, 2015, 1:41 p.m.

Public health leaders have long understood the power of prevention to reduce the risk of chronic diseases, including those linked to exposure to chemicals. We know there are billions of pounds of chemicals used in common products sitting on retail shelves in every town in America today.

Most people assume the government makes sure such chemicals are safe before they go into such products. In fact, no one has the mandate to ensure the safety of new chemicals before they are allowed on the market. That is one reason why potentially dangerous chemicals are in your home right now — in everything from furniture to clothing to cosmetics. Commonly used chemicals are linked to certain cancers, Parkinson's disease, developmental disabilities and other chronic and costly diseases.

Right now, members of Congress are considering legislation to update the chemical safety law and they should put strong measures in place to protect people from exposure to potential toxins. Congress should require new chemicals are found to be safe — before they are allowed on the market.

Legislation to update the flawed Toxic Substances Control Act is advancing through both chambers of Congress. The House recently passed a bill, and the Senate is poised to do the same within the next few weeks. But the bills differ in several important ways, including in their treatment of new chemicals. In fact, the House TSCA reform legislation would leave in place the current law's weak approach to new chemicals. That would be a mistake and a missed opportunity.

Every year, 500 to 1,000 new chemicals come onto the market. Unlike many other countries, the United States does not require companies to submit a basic set of safety data before allowing a chemical on the market. Here in the U.S., the Environmental Protection Agency cannot even require testing without first showing potential risk or high exposure, a real Catch-22. TSCA puts the burden on the EPA to raise any red flags within 90 days of receiving a company's "pre-manufacture notification" or the chemical can automatically enter the market and be produced and used by anyone as they see fit.

In the face of these constraints, resourceful staff at the EPA have done what they can with limited tools, using chemical structural information and computer modeling to try to predict hazards. Yet, those tools have significant limitations: They are largely reliant on the limited information available on chemicals with structures similar to the new chemical under scrutiny. They don't work at all for some classes of chemicals. And there are

no reliable tools for predicting more complex, chronic health problems tied to chemical exposure, such as reproductive or neurological toxicity.

The Senate's "Lautenberg Act" would require the EPA to make an affirmation safety finding as a condition for market entry, rather than allowing manufacturing to begin by default if the EPA does not raise a concern during the 90-day review. In other words, the system shifts from a passive to an active one. If the EPA doesn't have adequate information to make a safety finding, the bill authorizes the agency to suspend review, and importantly, it gives the EPA the ability to order testing in order to get the information it needs to make a sound decision.

Equally important, under the Lautenberg Act, the EPA's review of new chemicals would at last be grounded in a direct mandate from Congress. During the 1990's, when I was responsible for toxics as assistant administrator at the EPA, the Office of Management and Budget often looked skeptically at the need to maintain funding for a program without a congressional mandate. While the program appears safe for the time being, there's no assurance that future administrations will see the same value in the program and support its budget.

Today, as dean of the Milken Institute School of Public Health, I believe it is critical for the EPA to have a clear mandate to review new chemicals and the authority to restrict them. Congress should invest today in strong public health measures to protect us from harmful chemicals in everyday products that we all rely on. Now that's a step that would lead to better health for generations to come.

Lynn R. Goldman, MD, MPH, is the Michael and Lori Milken Dean of Milken Institute School of Public Health at the George Washington University.

Message

From: Kaiser, Sven-Erik [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=AC78D3704BA94EDBBD0DA970921271FF-SKAISER]
Sent: 7/10/2015 9:26:12 PM
To: 'Black, Jonathan (Tom Udall)' [Jonathan_Black@tomudall.senate.gov]
CC: Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]
Subject: RE: Update on our discussions...

thanks

Sven-Erik Kaiser
U.S. EPA
Office of Congressional and Intergovernmental Relations
1200 Pennsylvania Ave., NW (1305A)
Washington, DC 20460
202-566-2753

From: Black, Jonathan (Tom Udall) [mailto:Jonathan_Black@tomudall.senate.gov]
Sent: Friday, July 10, 2015 5:22 PM
To: Kaiser, Sven-Erik
Cc: Jones, Jim
Subject: Update on our discussions...

Sven, for your team.

Priority here is to respond to T.A. from Michal, as opposed to reviewing these documents and pointing out concerns.

Attached:

- Orion v.2.1 = The EPW reported bill plus all of the EPA T.A. we received (described in comment bubbles).
- Orion v.3.1 = underlying 2.1 with the current state of discussions with Sens. Durbin and Markey.
 - this version now includes:
 1. Implementation date
 2. Expedited Action for TSCA workplan chemicals
 3. User Fees fix
 4. Changes to Persistence and Bioaccumulation
 5. "At the discretion" removed
 6. cost-benefit clarification
 7. low priority info stuff
 8. CBI reporting

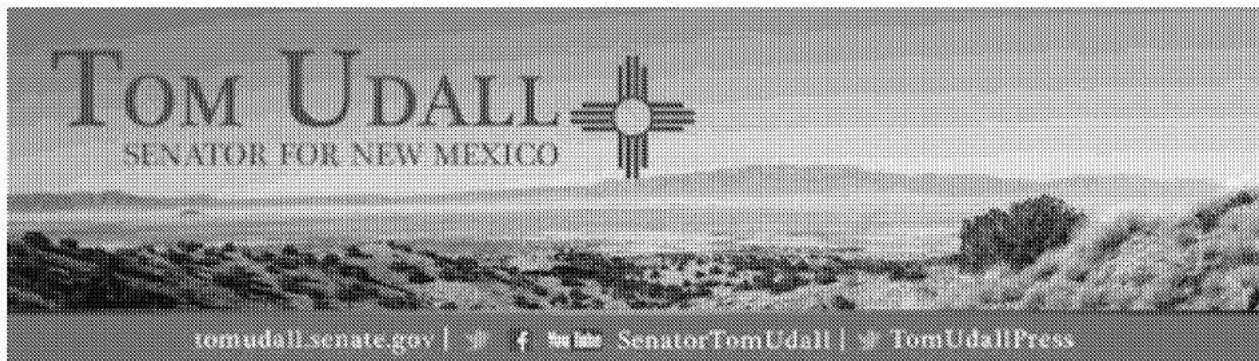
LEFT UNSETTLED:

- Co-enforcement penalty (adequate works for us)
- 18 a science (close – just running one more trap)
- 18 a compelling local (trying to find another word)
- Substantial evidence/low priority (no creative thoughts on our part)
- assuming articles unchanged unless we receive new information

Message

From: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Sent: 7/9/2015 7:06:52 PM
To: Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]
Subject: FW: Udall, Growing Coalition of Supporters Call on Senate to Bring Up and Pass Frank R. Lautenberg Chemical Safety for the 21st Century Act

From: Tom Udall Press Office
Sent: Thursday, July 09, 2015 3:02 PM
To: Tom Udall Press Office
Subject: Udall, Growing Coalition of Supporters Call on Senate to Bring Up and Pass Frank R. Lautenberg Chemical Safety for the 21st Century Act



For Immediate Release

July 9, 2015

Contact: Jennifer Talhelm

202.228.6870 | news@tomudall.senate.gov | [@TomUdallPress](https://twitter.com/TomUdallPress)

Udall, Growing Coalition of Supporters Call on Senate to Bring Up and Pass Frank R. Lautenberg Chemical Safety for the 21st Century Act

Support continues to build for the comprehensive, bipartisan bill to protect Americans from dangerous chemicals

WASHINGTON – Today, in a letter to Senate leadership, **U.S. Senator Tom Udall (D-N.M.)** and 12 of his Democratic colleagues urged Senate leaders to begin debate as soon as possible on their comprehensive chemical safety reform proposal, the Frank R. Lautenberg Chemical Safety for the 21st Century Act. The letter comes as support continues to build among a diverse group of stakeholders and as two more senators cosponsored the bipartisan legislation to reform the nation's broken chemical safety laws, the Toxic Substances Control Act of 1976 (TSCA). Sens. Jack Reed (D-R.I.) and Pat Roberts (R-Kan.) bring the total number of cosponsors to 46 senators representing 30 states.

"Stakeholders ranging from environmentalists to labor unions to good government advocates have urged the Senate to consider our comprehensive chemical safety reform bill," **Udall said**. "With 46 cosponsors and support from organizations representing millions of Americans, the Frank R. Lautenberg Chemical Safety for the 21st Century Act is ready to be considered and passed by the full Senate. New Mexicans and millions of Americans have

no protection from dangerous chemicals today because TSCA is badly broken — they need comprehensive reform and they can't afford to wait."

Joining Udall on the letter to Majority Leader Mitch McConnell and Minority Leader Harry Reid were Sens. Cory Booker (D-N.J.), Tom Carper (D-Del.), Chris Coons (D-Del.), Martin Heinrich (D-N.M.), Heidi Heitkamp (D-N.D.), Joe Manchin (D-W.V.), Mark Warner (D-Va.), Sheldon Whitehouse (D-R.I.), Jeff Merkley (D-Ore.), Debbie Stabenow (D-Mich.), Gary Peters (D-Mich.), and Sherrod Brown (D-Ohio).

"The failure of TSCA has been heartbreakingly demonstrated over the years as it has failed to protect the public from exposure to dangerous or untested chemicals. However, over the past year, we've been encouraged by the steady progress that's been made to craft a bipartisan proposal to overhaul TSCA so that it can finally accomplish the goal that Congress originally intended: protecting public health and the environment," **the senators wrote**. "We believe that the best path to accomplishing the development of a final proposal that can achieve broad support in both Houses is to debate and amend the reported bill from the Senate Committee on Environment and Public Works and then reconcile the Senate proposal with the House proposal."

Support for the bill is broad and deep, and the list of stakeholders endorsing the Senate's comprehensive approach continues to grow. This week, a coalition of national organizations — representing millions of Americans — joined Udall and his colleagues in urging swift passage of the Lautenberg bill. The Humane Society of the United States and the International Brotherhood of Electrical Workers joined the Environmental Defense Fund, the March of Dimes, the National Wildlife Federation, the Physicians Committee for Responsible Medicine and others in endorsing the bill.

Calls to take up the Senate bill are also coming from former Senate leaders Trent Lott and Byron Dorgan, who now serve as fellows at the Bipartisan Policy Center, which advocates for bipartisan solutions to key issues facing the nation.

Quotes from supporters and organizations follow:

"With hundreds of toxic chemicals in everyday use, and thousand more untested, we can't afford to wait. It's time to pass bipartisan reform of the Toxic Substances Control Act," **reads a support document by the Environmental Defense Fund, the March of Dimes, the National Wildlife Federation and the Physicians Committee for Responsible Medicine**. "The Frank R. Lautenberg Chemical Safety for the 21st Century Act (S. 697), sponsored by Senators Tom Udall and David Vitter, is bipartisan legislation to update this ineffective law, and it is ready to move to the Senate floor."

"On behalf of the Bipartisan Policy Center (BPC), we are writing to encourage you bring S. 697, the Frank R. Lautenberg Chemical Safety for the 21st Century Act, to the Senate floor for consideration," **former Senate leaders and Bipartisan Policy Center fellows Trent Lott and Byron Dorgan wrote in a letter to McConnell and Reid**. "This bipartisan effort will strengthen one of our nation's important environmental statutes that has not been updated in 40 years."

"When it comes to human and environmental health, our current animal testing-based approach is fundamentally flawed, and we are in position to do a radically better job. Since the original TSCA was put into force in 1976, EPA has asked for safety data on only 200 of the tens of thousands of chemicals to which we are exposed, and has regulated only a handful of those," **said Wayne Pacelle, President and CEO of the Humane Society of the United States, and Michael Markarian, President of the Humane Society Legislative Fund**, adding that the Frank R. Lautenberg Chemical Safety for the 21st Century Act "incorporates 21st-century science into its testing and risk-assessment framework and marks a dramatic advance for the nation in animal protection values."

"S. 697 will amend and strengthen Title I of TSCA in critical areas. It has been developed through ongoing bipartisan engagement since its initial introduction in 2013," **said Lonnie Stephenson, International President of the International Brotherhood of Electrical Workers**. "Clearly, TSCA is not working as Congress intended. Fixing it presents an opportunity for cooperation benefiting the American people and economy. The proposed legislation

will strengthen TSCA by providing the Environmental Protection Agency (EPA) with greater authority to protect public and worker health as well as the environment.”

The Frank R. Lautenberg Chemical Safety for the 21st Century Act would overhaul the outdated Toxic Substances Control Act of 1976 and finally ensure the American people are protected from chemicals sold in everyday products and used in manufacturing. Text of the legislation, information about support and more are available [HERE](#). Key provisions in the Senate's comprehensive bill would address all of the major ways the current TSCA law fails — by providing funding to ensure the Environmental Protection Agency (EPA) has the resources to test and regulate chemicals, a clear focus on chemicals that pose a risk to the environment and public health, a mandate to review the safety of all new and existing chemicals, authority directing the EPA to test chemicals, assurance that companies can no longer hide information from the public, and clear rules for government regulation to protect the public.

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Message

From: Black, Jonathan (Tom Udall) [Jonathan_Black@tomudall.senate.gov]
Sent: 6/19/2015 12:38:01 PM
To: Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Kaiser, Sven-Erik [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=ac78d3704ba94edbbd0da970921271ff-SKAISER]
Subject: Fw: 1 item: S.697

----- Original Message -----

From: LIS ALERT [mailto:lisalert@loc.gov]
Sent: Friday, June 19, 2015 08:10 AM
To: Black, Jonathan (Tom Udall)
Subject: 1 item: S.697

1 item (1 changed) in Bill Summary & Status

Bill(s) with changes in the parameters you selected:

1. S.697 - A bill to amend the Toxic Substances Control Act to reauthorize and modernize that Act, and for other purposes.
Sponsor: Sen Udall, Tom [D-NM] (introduced 3/10/2015)
Bill Status: 6/18/2015: By Senator Inhofe from Committee on Environment and Public Works filed written report.
Report No. 114-67. Minority views filed.
<http://www.lis.gov/cgi-lis/bdquery/z?d114:SN00697:/>

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EMAIL questions and comments to lismail@crs.loc.gov
<http://www.lis.gov/homepage/feedback.html>
Please do not reply to this message.

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Message

From: Andy Igrejas [andyigrejas@saferchemicals.org]
Sent: 6/25/2015 7:37:16 PM
To: Andy Igrejas [andyigrejas@saferchemicals.org]
CC: Jacqueline Cohen [jackie.cohen@mail.house.gov]; David McCarthy [david.mccarthy@mail.house.gov]; Jerry Couri [JerryCouri@mail.house.gov]; Eleanor Bastian [eleanor.bastian@mail.house.gov]; Jean Fruci [Jean.Fruci@mail.house.gov]; Jason (EPW) Albritton [Jason_Albritton@epw.senate.gov]; Adrian (Merkley) Deveny [adrian_deveny@merkley.senate.gov]; Bettina (EPW) Poirier [Bettina_Poirier@epw.senate.gov]; Michal (Markey) Freedhoff [Michal_Freedhoff@markey.senate.gov]; Colin (Carper) Peppard [colin_peppard@carper.senate.gov]; lipton@nytimes.com Lipton [lipton@nytimes.com]; Coral Davenport [coral.davenport@nytimes.com]; Sam Pearson [spearson@eenews.net]; Lauren Gardner [LaurenGardner@cqrollcall.com]; prizzuto@bna.com [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a385bc434cd34ac68395a6c5ecd2c8e5-prizzuto@bna.com]; Phil Klein [PKlein@cspa.org]; Benjamin Dunham [bdunham@mckennalong.com]; Julie Froelicher [froelicher.jm@pg.com]; broderick.sp@pg.com Broderick [broderick.sp@pg.com]; Adam (Booker) Zipkin [Adam_Zipkin@booker.senate.gov]; Kacee Deener [(b) (6)]; Drew McConville [(b) (6)] Steve Blackledge [sblackledge@pirg.org]; Steven J Goldberg [steven.goldberg@basf.com]; Connie (CL) Deford [CLDeford@dow.com]; Greg Dotson [gdotson@americanprogress.org]; Jones, Jim [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=c32c4b9347004778b0a93a4cbd83fc8a-JJONES1]; Celia Wexler [CWexler@ucsusa.org]; mae_stevens@cardin.senate.gov; agadhia@aap.org Gadhia [agadhia@aap.org]; donald.hoppert@APHA.org; Molly Rauch [rauchmolly@gmail.com]; Carli Jensen [cjensen@pirg.org]; Douglas Troutman [dtroutman@cleaninginstitute.org]
Subject: New Blog on House Passage of TSCA

... and our recommendation for how Congress should proceed from here.

<http://saferchemicals.org/2015/06/25/the-house-passes-tsca-reform/>

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